

HILLWIG DECL. EXHIBIT 22

In the Matter Of:
MONTGOMERY COUNTY vs. MERSCORP

11-6968

JOCELYN GALLAGHER

July 18, 2013



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MONTGOMERY COUNTY vs. MERSCORP

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA
3 MONTGOMERY COUNTY)
4 PENNSYLVANIA, RECORDER OF) NO. 11-6968
5 DEEDS, et al)
6)
7 - vs -)
8 MERSCORP, INC. and)
9 MORTGAGE ELECTRONIC)
10 REGISTRATION SYSTEMS, INC.)

11

12 Videotaped deposition of JOCELYN GALLAGHER,
13 held at 425 Swede Street, Suite 1001, Norristown,
14 Pennsylvania, on Thursday, July 18, 2013, at 9:11
15 a.m., before Dolores M. Horne, Professional
16 Reporter and Notary Public, in and for the
17 Commonwealth of Pennsylvania.

18

19

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1 to bucket -- Peachtree buckets the fees?

2 A. Yes.

3 Q. Talking about different buckets for
4 money that goes to different places?

5 A. Correct.

6 Q. Okay. And then I think you said the
7 last step is actually disbursing money to those
8 different places --

9 A. Correct.

10 Q. -- is that right?

11 A. Yes.

12 Q. How does that happen?

13 A. How does that happen? We have reports
14 that we can run out of Countyfusion that will tell
15 us how much was collected on behalf of -- of, say
16 the state writ tax, say affordable housing, say
17 the record improvement, for that sort of thing.
18 And then we collate that, make sure that that
19 total matches what we have in Peachtree, and we
20 write a check essentially.

21 Q. Okay. Who are the different people or
22 entities you write checks to?

23 A. There are two that go to the state.

24 And, actually, the monies that go to the county we

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1 do do an ACH to them.

2 Q. So, money goes to the state and it goes
3 to the county out of this recording fee. Does it
4 go anywhere else?

5 A. There is a certain amount that we retain
6 within office.

7 Q. Let's talk about right now. Can you
8 break down for me how much by percentage or dollar
9 amount, whatever is easier for you, how much of a
10 particular recording fee goes to the state, to the
11 county and stays in the Recorder of Deeds office?

12 A. Okay. Well, out of the assignment fee,
13 which is \$54, 50 cents of that goes to the state
14 for what is called a state writ tax. There's
15 another 23.50 that also goes to the state, and
16 that's the judicial fee. There is the \$15 county
17 fee that goes to the county. There's a \$10 parcel
18 fee that is collected on behalf of Board of
19 Assessment, but we send that to the county. And
20 there's a \$5 record -- record improvement fund,
21 that \$3 we retain and \$2 goes to the county.

22 Q. So, at least right now out of, I think
23 you said \$54; is that correct?

24 A. Yes.



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1 Q. And that's -- that's the recording fee
2 for an assignment?

3 A. Yes.

4 Q. Is that a mortgage assignment?

5 A. Yes.

6 Q. Out of that \$54, three stays with the
7 Recorder of Deeds?

8 A. Yes.

9 Q. Does that just stay in the Univest
10 account?

11 A. We have a separate account for that, a
12 record improvement fund.

13 Q. Okay. Do you write a check to yourself
14 out of the --

15 A. We actually just transfer between
16 accounts once a month.

17 Q. Ms. Gallagher, you told me you have an
18 account for recording fees. You made -- you
19 made -- in our example you used an assignment
20 recording fee. Do you keep track of recording
21 fees by particular document?

22 A. No.

23 Q. Just total recording fees?

24 A. Total recording fees.



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1 Q. So --

2 A. We do have reports so we can see the
3 number of different document types that have been
4 recorded.

5 Q. Okay. And so you could back into the
6 numbers --

7 A. Yes.

8 Q. -- if you needed to?

9 A. Uh-huh, yes.

10 Q. You can take that number and multiply it
11 by whatever the rate was at the time, right?

12 A. Uh-huh.

13 Q. But that's not -- you don't have
14 accounts set up --

15 A. No.

16 Q. -- for different kinds of documents?

17 A. No, no.

18 Q. The division you gave for the mortgage
19 assignment of the \$54, has that been constant
20 during your time in the office?

21 A. No.

22 Q. Has the Recorder of Deeds office ever
23 been able to keep more than \$3 out of that?

24 A. No. We're not allowed to.